

EXHIBIT

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**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

AMERICAN WATER WORKS
ASSOCIATION, ET AL.

Petitioners,

v.

U.S. ENVIRONMENTAL PROTECTION
AGENCY, ET AL.,

Respondents.

Case No. 24-1188 and
consolidated cases

DECLARATION OF PEGGY S. BROWNE

I, Peggy S. Browne, declare that the following statements are true and correct to the best of my knowledge and belief and are based on my personal knowledge, information contained in the records of the United States Environmental Protection Agency (“EPA” or “the Agency”), and information supplied to me by current EPA employees.

1. I am Principal Deputy Assistant Administrator, and I am currently also serving as Acting Assistant Administrator, for the Office of Water in the EPA. I have served in these positions since March 9, 2025.
2. As Acting Assistant Administrator, I am responsible for, and provide counsel to, the Administrator on policy, planning, program development and

implementation, management, and control of the technical and administrative aspects of the Office of Water. I manage the Agency's programs under several statutes, including the Safe Drinking Water Act ("SDWA"). Within EPA's Office of Water, Office of Ground Water and Drinking Water has primary responsibility for developing the decision to regulate a contaminant and the drinking water standards under SDWA.

3. Upon review of the rule and rulemaking process that resulted in the final action entitled "PFAS National Primary Drinking Water Regulation," 89 Fed. Reg. 32532 (Apr. 26, 2024), the EPA no longer seeks to defend the portions of the rule regarding three per- and polyfluoroalkyl substances (PFAS) individually—perfluorononanoic acid (PFNA), perfluorohexane sulfonic acid (PFHxS), and hexafluoropropylene oxide dimer acid (HFPO-DA)—and mixtures of those three PFAS and a fourth PFAS, perfluorobutane sulfonic acid (PFBS) or the associated regulatory determinations for those PFAS, and has asked the Department of Justice to file a motion for vacatur of those portions of the action cited above.

Dated: September 11, 2025

Browne, Peggy
Digitally signed by Browne,
Peggy
Date: 2025.09.11 17:20:17
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Peggy S. Browne
Acting Assistant Administrator
Office of Water
U.S. Environmental Protection Agency